



PATENT  
20959/2090 (P62661) DHC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Moszner et al. )  
Serial No : 10/658,993 )  
Cnfrm. No. : 3705 )  
Filed : September 10, 2003 )  
For : POLYMERIZABLE BICYCLIC CYCLOPROPANE )  
DERIVATIVES AND THEIR USE FOR THE )  
PREPARATION OF DENTAL MATERIALS )  
\_\_\_\_\_  
)

MAIL STOP  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

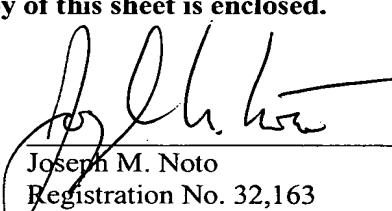
Transmitted herewith in the above-identified application are:

- Petition For Correction of Filing Date (2 pages);
- Marked copy of Official Filing Receipt (2 pages) with Exhibits A;
- Copy of Utility Patent Application Transmittal Letter (1 page) with Exhibit B.
- Copies of Express Mail Certificates (7 pages) with Exhibit C;
- Copy of Express Mail Receipt (1 page) with Exhibit D;
- USPS Track & Confirm from internet (1 page) with Exhibit E;

The Commissioner is hereby authorized to charge any necessary fees to Deposit Account No. 14-1138.

A duplicate copy of this sheet is enclosed.

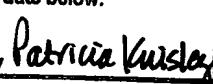
Date: 12/12/03

  
Joseph M. Noto  
Registration No. 32,163

Nixon Peabody LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603  
Telephone: (585) 263-1601  
Facsimile: (585) 263-1600

R735007.1

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.	
Date	12/12/03
Patricia Kinsley	





PATENT  
Docket No.: 20959/2090 (P 62261)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	:	Moszner et al.	)	Examiner:
Serial No.	:	10/658,993	)	Unknown
Cnfrm. No.	:	3705	)	Art Unit:
Filed	:	September 10, 2003	)	1624
For	:	POLYMERIZABLE BICYCLIC CYCLOPROPANE DERIVATIVES AND THEIR USE FOR THE PREPARATION OF DENTAL MATERIALS	)	

**PETITION FOR CORRECTION OF FILING DATE  
UNDER 37 CFR §1.10(d)**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit that the presently accorded filing date of September 9, 2003, is incorrect. Therefore, pursuant to 37 CFR § 1.10(d), applicants hereby petition the Commissioner for Patents to correct the accorded filing date of the above-identified application to reflect the actual filing date of September 10, 2003.

Applicants submit that this Petition is being filed in compliance with 37 CFR § 1.10(d)(1). A marked copy (indicating the erroneous filing date) of the Official Filing Receipt is attached hereto as Exhibit A.

Applicants also submit that the Express Mail No. EV13956951US was placed on the Express Mail Certificates accompanying the above-identified application and its Transmittal Letter, which satisfies the requirements under 37 CFR § 1.10(d)(2). A copy of the Transmittal Letter is attached hereto as Exhibit B. Copies of all Express Mail Certificates filed with the present application are attached as Exhibit C.

As identified in the Transmittal Letter, accompanying the application (37 pages) and Transmittal Letter were: (a) preliminary amendment (7 pages); (b) newly executed combined Declaration and Power of Attorney (3 pages); (c) information disclosure statement (1 page) and copies of references; (d) assignment and recordation form cover sheet(3 pages); (e) certified copy of priority document; (f) a pre-paid return receipt postcard; (g) two checks in the amounts of \$750.00 and \$40.00 (see Exhibit B). An Express Mail Certificate signed by Shawn A. Lockett accompanied

each of the following: the Transmittal Letter; the Fee Transmittal for FY2003; the preliminary amendment; the application and the signed Combined Declaration and Power of Attorney form; the information disclosure statement and references; the recordation form cover sheet and assignment; and the certified copy of foreign priority document.

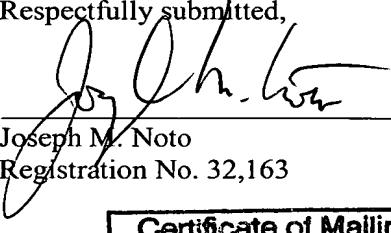
Each of these materials was placed into the Express Mail package bearing Express Mail No. EV139569515US, and the sealed Express Mail package was delivered by Mr. Lockett to a representative of the U.S. Postal Service ("USPS") at the U.S. Post Office, Midtown Plaza Station, Rochester, New York 14604 on September 10, 2003. An Express Mail receipt was provided to Mr. Lockett by the representative of the USPS and this receipt was placed in the appropriate Nixon Peabody file, bearing docket number 20959/2090, by a docketing clerk (attached as Exhibit D).

In compliance with 37 CFR § 1.10(d)(3), applicants present herewith the Express Mail receipt returned to applicants' representatives following deposit of the Express Mail package bearing Express Mail No. EV139569515US with the USPS. The Express Mail receipt also bears Express Mail No. EV139569515US (upper left corner) and the attorney docket number 20959/2090 (P62661) (in the lower left). This is the same docket number present on the Transmittal Letter and the Express Mail Certificates (compare Exhibits B, C, and D). The Express Mail receipt bears a hand-stamp date of September 10, 2003 whereas the "date in" box is incorrectly hand written as "9/9/03". A copy of a Track & Confirm page from the USPS website for Express Mail No. EV139569515US (attached as Exhibit E) shows the acceptance of the above-identified Express Mail package on September 10, 2003, at 4:56 p.m. in Rochester, New York 14604. Applicants submit that this documentation conclusively indicates the mail date of September 10, 2003 as the correct filing date, satisfying the requirements under 37 CFR § 1.10(d)(3).

Although applicants believe that no fee is due upon consideration of this Petition, the Commissioner is authorized to charge any necessary fees to our Deposit Account No. 14-1138.

In view of all of the foregoing in satisfaction of the requirements under 37 CFR § 1.10(d), applicants respectfully request that the accorded filing date be corrected to read September 10, 2003 and that the U.S. Patent and Trademark Office mail a corrected filing receipt to applicants' representative.

Respectfully submitted,

  
Joseph M. Noto  
Registration No. 32,163

Date: 12/12/03  
Nixon Peabody LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603  
Telephone: (585) 263-1601  
Facsimile: (585) 263-1600

**Certificate of Mailing - 37 CFR 1.8(a)**

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UNITED STATES DEPARTMENT OF COMMERCE  
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[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/658,993	09/09/2003 09/10/2003	1624	750	20959/2090 (P 62661)		20	1

**CONFIRMATION NO. 3705**

Nixon Peabody LLP  
Clinton Square  
P.O. Box 31051  
Rochester, NY 14603-1051

**FILING RECEIPT**



\*OC000000011391170\*

Date Mailed: 12/02/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Norbert Moszner, Eschen, LIECHTENSTEIN;  
Armin de Meijere, Gottingen, GERMANY;  
Frank Zeuner, Vaduz, LIECHTENSTEIN;  
Urs Karl Fischer, Arbon, SWITZERLAND;

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

GERMANY 102 49 324.3 10/22/2002

If Required, Foreign Filing License Granted: 12/01/2003

Projected Publication Date: 04/22/2004

Non-Publication Request: No

Early Publication Request: No

**Title**

Polymerizable bicyclic cyclopropane derivatives and their use for the preparation of dental materials

Preliminary Class

544

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

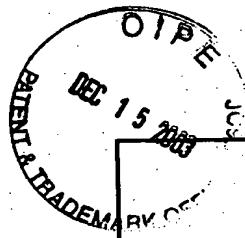
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Attorney Docket No.		20959/2090 (P 62661)
First Inventor		Moszner
Title	POLYMERIZABLE BICYCLIC CYCLOPROPANE DERIVATIVES AND THEIR USE FOR THE PREPARATION OF DENTAL MATERIALS	
Express Mail Label No.		EV139569515US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 37]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications (*if applicable*)
  - Statement Regarding Fed sponsored R & D (*if applicable*)
  - Reference to sequence listing, a table, or a computer program listing appendix (*if applicable*)
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets  ]
5. Oath or Declaration [ Total Pages 3 ]
  - a.  Newly executed (original or copy)
  - b.  Unsigned
  - c.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

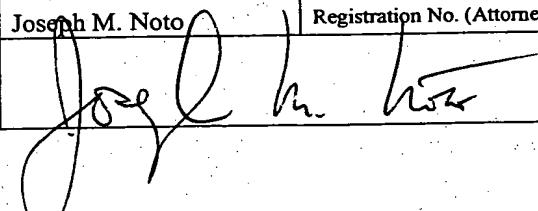
Prior application information:

Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label				or <input checked="" type="checkbox"/> Correspondence address below
Name	Nixon Peabody LLP Clinton Square, P.O. Box 31051			
Address	Rochester	State	NY	Zip Code
City	USA	Telephone	(585) 263-1601	Fax
Country				(585) 263-1600
Name (Print/Type)	Joseph M. Noto	Registration No. (Attorney/Agent)	32,163	
Signature				Date
				9-10-03



## EXPRESS MAIL CERTIFICATE

DOCKET NO. : **20959/2090 (P 62661)**

APPLICANT(S) : **Norbert Moszner, Armin de Meijere, Frank Zeuner, Urs Karl Fischer**

TITLE : **POLYMERIZABLE BICYCLIC CYCLOPROPANE  
DERIVATIVES AND THEIR USE FOR THE PREPARATION  
OF DENTAL MATERIALS**

Certificate is attached to the Utility Patent Application Transmittal Form (1 page) (in duplicate) of the above-named application.

"EXPRESS MAIL" NUMBER: **EV139569515US**

DATE OF DEPOSIT: **September 10, 2003**

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Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)

A handwritten signature of Shawn A. Lockett.

(Signature of person mailing paper or fee)



## EXPRESS MAIL CERTIFICATE

DOCKET NO. : 20959/2090 (P 62661)

APPLICANT(S) : **Norbert Moszner, Armin de Meijere, Frank Zeuner, Urs Karl Fischer**

TITLE : **POLYMERIZABLE BICYCLIC CYCLOPROPANE DERIVATIVES AND THEIR USE FOR THE PREPARATION OF DENTAL MATERIALS**

Certificate is attached to the Fee Transmittal for FY 2003 (1 page) (in duplicate) of the above-named application.

"EXPRESS MAIL" NUMBER: EV139569515US

DATE OF DEPOSIT: September 10, 2003

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Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)

A handwritten signature in black ink, appearing to read "Shawn A. Lockett".

(Signature of person mailing paper or fee)

## **EXPRESS MAIL CERTIFICATE**

**DOCKET NO. : 20959/2090 (P 62661)**

**APPLICANT(S) : Norbert Moszner, Armin de Meijere, Frank Zeuner, Urs Karl Fischer**

**TITLE : POLYMERIZABLE BICYCLIC CYCLOPROPANE  
DERIVATIVES AND THEIR USE FOR THE PREPARATION  
OF DENTAL MATERIALS**

Certificate is attached to the Preliminary Amendment (7 pages) of the above-named application.

**“EXPRESS MAIL” NUMBER: EV13956951US**

**DATE OF DEPOSIT: September 10, 2003**

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Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)



(Signature of person mailing paper or fee)

## **EXPRESS MAIL CERTIFICATE**

**DOCKET NO. : 20959/2090 (P 62661)**

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DERIVATIVES AND THEIR USE FOR THE PREPARATION  
OF DENTAL MATERIALS**

**Certificate is attached to the Specification, Claims, and Abstract (37 pages) and the  
SIGNED Combined Declaration and Power of Attorney (3 pages) of the above-named  
application.**

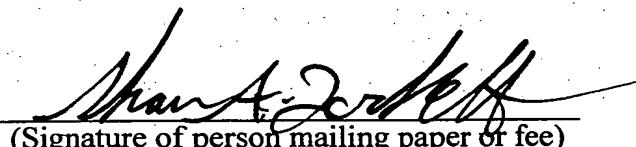
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Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)



(Signature of person mailing paper or fee)

## **EXPRESS MAIL CERTIFICATE**

**DOCKET NO. : 20959/2090 (P 62661)**

**APPLICANT(S) : Norbert Moszner, Armin de Meijere, Frank Zeuner, Urs Karl Fischer**

**TITLE : POLYMERIZABLE BICYCLIC CYCLOPROPANE  
DERIVATIVES AND THEIR USE FOR THE PREPARATION  
OF DENTAL MATERIALS**

Certificate is attached to the **Information Disclosure Statement, PTO-1449 Form (1 page) (in duplicate) and 7 references** of the above-named application.

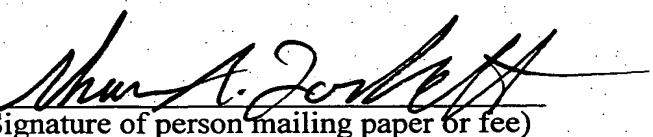
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Shawn A. Lockett

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**EXPRESS MAIL CERTIFICATE**

DOCKET NO. : **20959/2090 (P 62661)**

APPLICANT(S) : **Norbert Moszner, Armin de Meijere, Frank Zeuner, Urs Karl Fischer**

TITLE : **POLYMERIZABLE BICYCLIC CYCLOPROPANE DERIVATIVES AND THEIR USE FOR THE PREPARATION OF DENTAL MATERIALS**

Certificate is attached to the Assignment and Assignment Recordation Form Cover Sheet (3 pages) of the above-named application.

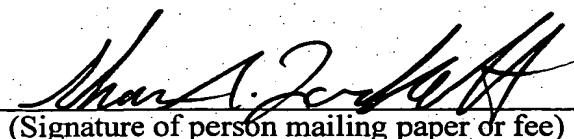
"EXPRESS MAIL" NUMBER: **EV139569515US**

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Shawn A. Lockett

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TITLE : **POLYMERIZABLE BICYCLIC CYCLOPROPANE  
DERIVATIVES AND THEIR USE FOR THE PREPARATION  
OF DENTAL MATERIALS**

Certificate is attached to the **Certified Copy of a Foreign Priority Document**  
**(German Application No. 102 49 324.3) (36 pages)** of the above-named application.

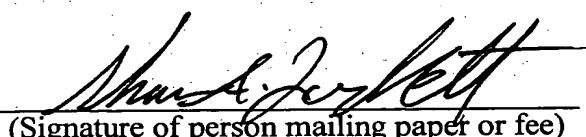
"EXPRESS MAIL" NUMBER: **EV139569515US**

DATE OF DEPOSIT: **September 10, 2003**

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Shawn A. Lockett

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Date <b>9/9/03</b>	Postage <b>2105</b>	Return Receipt Fee <input type="checkbox"/>	Delivery Attempt <input type="checkbox"/> Time of delivery <input type="checkbox"/> Signature <input type="checkbox"/> Only if required by law
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<b>TO: (PLEASE PRINT)</b> <b>PHONE ( )</b> <b>Mail Stop Patent Application</b> <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, Virginia 22313-1450</b>			
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- ACCEPTANCE, September 10, 2003, 4:56 pm, ROCHESTER, NY 14604

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